

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ROME DIVISION

IN RE: BIANCO TOBIAS BENTON,	{ CHAPTER 13
	{
	{
DEBTOR(S)	{ CASE NO. R23-40527-PWB
	{
	{ JUDGE BONAPFEL

**OBJECTION TO CONFIRMATION**

COMES NOW K. EDWARD SAFIR, CHAPTER 13 TRUSTEE herein, and objects to Confirmation of the plan for the following reasons:

1. The Debtor's payments under the proposed plan are not current.
2. The proposed plan fails to provide for the treatment of Publix Employees Federal Credit Union. However, said creditor has filed a secured claim.
3. Pursuant to information received from the Internal Revenue Service, 2022 tax returns have not been filed, in violation of 11 U.S.C. §§ 1308(a) and 1325(a)(9).
4. The payout of the claim(s) owed to IMAJN Services, LLC dba Sparrow will extend beyond sixty (60) months, contrary to 11 U.S.C. § 1322(d).
5. Due to a change in circumstances since filing, Schedules I and J do not correctly reflect the current financial situation, thereby preventing the Trustee from evaluating feasibility, 11 U.S.C. Section 1325(a)(6).
6. The Debtor's Schedule I fails to accurately reflect Debtor's new employer and gross monthly income, thereby preventing the Chapter 13 Trustee from determining the feasibility of the proposed plan, in violation of 11 U.S.C. Section 11 U.S.C. Section 1325 (a)(6).

K. Edward Safir, Chapter 13 Trustee  
285 Peachtree Center Ave., NE  
Suite 1600  
Atlanta, GA 30303  
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7. The funding of post-petition lease installments has not been maintained in the above-styled Chapter 13 case, possibly indicating that the present budget and proposed plan are infeasible. 11 U.S.C. § 1325 (a) (6).

WHEREFORE, the Trustee moves the Court to inquire into the above objections, deny Confirmation of this Debtor's (s') Plan and to dismiss the case; or, in the alternative, convert the case to one under Chapter 7.

\_\_\_\_\_/s/  
Deborah A. Reece, Attorney  
for Chapter 13 Trustee  
GA Bar No. 283016

K. Edward Safir, Chapter 13 Trustee  
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**CERTIFICATE OF SERVICE**

I hereby certify that on this day I electronically filed the foregoing pleading with the Clerk of Court using the CM/ECF system which will automatically send an e-mail notification of such filing to the parties or attorneys of record. I have also on this day caused a copy of the pleading to be placed in the first-class United States mail, postage prepaid, addressed to the following recipients not participating in the CM/ECF system as follows:

BIANCO TOBIAS BENTON  
165 PARKMONT COURT  
DALLAS, GA 30132

This 8th day of June, 2023

\_\_\_\_\_/s/  
Deborah A. Reece, Attorney  
for Chapter 13 Trustee  
State Bar No. 283016

K. Edward Safir, Chapter 13 Trustee  
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